

# Exhibit E

---

**From:** Comeau, Jeffrey D.  
**Sent:** Tuesday, September 5, 2017 3:07 PM  
**To:** Christopher Evans; Michael Shore; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Chris,

Samsung has never requested additional charts from CyWee. At the start of our call last week, we said our understanding, based on Michael's e-mail calling our letter "a waste of time," was that CyWee did not intend to amend its contentions. CyWee then offered to provide additional charts and said it would agree to allow Samsung to amend its invalidity contentions in response. We said we'd have to check back with the team to determine whether those products were fairly in the case. We looked into it and, per my e-mail earlier, they are not.

In sum, Samsung does not want CyWee to serve additional charts. If CyWee does so, it will be a violation of P.R. 3-6, which requires CyWee to seek leave from the Court and show good cause. Instead, CyWee should confirm that it is not accusing the Note 7, J5 Prime, J7, and J7 active, or that it will move for leave to amend to include charts for those products. If CyWee seeks leave to amend, it should provide its basis for doing so.

Regards,  
Jeff

---

**From:** Christopher Evans [mailto:[cevens@ShoreChan.com](mailto:cevens@ShoreChan.com)]  
**Sent:** Tuesday, September 5, 2017 10:59 AM  
**To:** Comeau, Jeffrey D.; Michael Shore; O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** [EXT] Re: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Jeff,

I strongly disagree with your recap. You asked me to provide charts for additional products based on your belief that our representative products were inadequate. Rather than fight about it I agreed to provide the charts you requested. Now you are telling me you will oppose my attempts to provide you with the charts you requested? I don't appreciate this gamesmanship. Do you want additional charts or not?

Best,

Chris Evans

---

From: Comeau, Jeffrey D. <[jeffreycomeau@paulhastings.com](mailto:jeffreycomeau@paulhastings.com)>  
Sent: Tuesday, September 5, 2017 1:50 PM  
Subject: RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP  
To: Christopher Evans <[cevens@shorechan.com](mailto:cevens@shorechan.com)>, Michael Shore <[mshore@shorechan.com](mailto:mshore@shorechan.com)>, O'Brien, Karen R. <[karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com)>, Ari Rafilson <[arafilson@shorechan.com](mailto:arafilson@shorechan.com)>  
Cc: Alfonso G Chan <[achan@shorechan.com](mailto:achan@shorechan.com)>, Paul Beeler <[pbeeler@shorechan.com](mailto:pbeeler@shorechan.com)>, Team Samsung CyWee

<[teamsamsungcywee@paulhastings.com](mailto:teamsamsungcywee@paulhastings.com)>, Rhonda Polvado <[rpolvado@shorechan.com](mailto:rpolvado@shorechan.com)>, Andrew Huffstetler <[ahuffstetler@shorechan.com](mailto:ahuffstetler@shorechan.com)>, '[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)' <[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)>

Hello Chris,

Thank you for speaking with me last week regarding Samsung's concerns about CyWee's infringement contentions. Below is a summary, including a response on the first item:

1. You offered to provide additional claim charts for the Note 7, J5 Prime, J7, and J7 active within 3 weeks. Samsung will oppose any attempt by CyWee to amend its contentions to include new charts or name new products, absent a showing of good cause sufficient under the local patent rules.
2. CyWee's position is that the current scope of accused products is limited to those currently charted in CyWee's July 12 contentions and the products for which CyWee now wishes to provide claim charts, discussed above. Samsung disputes that the Note 7, J5 Prime, J7, and J7 active are properly accused products, and Samsung will oppose any attempt by CyWee to amend its contentions to include products not previously named, absent a showing of good cause sufficient under the local patent rules.
3. CyWee confirmed that it is not currently asserting infringement under the doctrine of equivalents and Samsung can deem any reference to DOE in the contentions as withdrawn. To the extent that CyWee later wishes to assert DOE infringement following claim construction, CyWee will seek to amend its contentions pursuant to the local patent rules.

Please let me know if you disagree with any of the above. I will follow up separately regarding our discussion of CyWee's deposition notice to Mr. Lee.

Regards,  
Jeff

---

**From:** Comeau, Jeffrey D.

**Sent:** Tuesday, August 22, 2017 10:04 AM

**To:** 'Christopher Evans'; Michael Shore; O'Brien, Karen R.; Ari Rafilson

**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; '[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)'

**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Chris,

3:00 CT on Monday works. I will give you a call then.

Regards,  
Jeff

---

**From:** Christopher Evans [<mailto:cevans@ShoreChan.com>]

**Sent:** Tuesday, August 22, 2017 6:48 AM

**To:** Comeau, Jeffrey D.; Michael Shore; O'Brien, Karen R.; Ari Rafilson

**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; '[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)'

**Subject:** [EXT] RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Jeff,

Unfortunately neither of those times work for me and I'm tied up for the remainder of this week. I have time on Monday August 28<sup>th</sup> from 3 p.m. CT until 5 p.m. CT. Does that work for you?

Best,

Chris Evans



Christopher L. Evans  
Shore Chan DePumpo LLP  
901 Main Street, Suite 3300  
Dallas, Texas 75202  
214-593-9118 (Direct)  
214-593-9110 (Firm)  
214-593-9111 (Fax)

**NOTICE OF CONFIDENTIALITY:**

The information contained in and transmitted with this e-mail may be subject to the Attorney-Client and Attorney Work Product privileges, and is Confidential. It is intended only for the individuals or entities designated as recipients above. You are hereby notified that any dissemination, distribution, copying, use or reliance upon the information contained in and transmitted with this e-mail by or to anyone other than the addressee designated above by the sender is unauthorized and strictly prohibited. If you have received this e-mail in error, please notify the sender by reply immediately. Any e-mail erroneously transmitted to you should be immediately destroyed.

---

**From:** Comeau, Jeffrey D. [<mailto:jeffreycomeau@paulhastings.com>]

**Sent:** Monday, August 21, 2017 2:49 PM

**To:** Christopher Evans <[cevens@ShoreChan.com](mailto:cevens@ShoreChan.com)>; Michael Shore <[mshore@ShoreChan.com](mailto:mshore@ShoreChan.com)>; O'Brien, Karen R. <[karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com)>; Ari Rafilson <[arafilson@ShoreChan.com](mailto:arafilson@ShoreChan.com)>

**Cc:** Alfonso G Chan <[achan@ShoreChan.com](mailto:achan@ShoreChan.com)>; Paul Beeler <[pbeeler@ShoreChan.com](mailto:pbeeler@ShoreChan.com)>; Team Samsung CyWee <[TeamSamsungCyWee@paulhastings.com](mailto:TeamSamsungCyWee@paulhastings.com)>; Rhonda Polvado <[rpolvado@ShoreChan.com](mailto:rpolvado@ShoreChan.com)>; Andrew Huffstetler <[ahuffstetler@ShoreChan.com](mailto:ahuffstetler@ShoreChan.com)>; 'melissa@gillamsmithlaw.com' <[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)>

**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Chris,

Thank you for the quick response. I am not available at that time, but I could do 5:00 CT tomorrow or any time after 1:00 CT on Wednesday. Let me know what works.

Thanks,  
Jeff

---

**From:** Christopher Evans [<mailto:cevens@ShoreChan.com>]

**Sent:** Monday, August 21, 2017 12:26 PM

**To:** Comeau, Jeffrey D.; Michael Shore; O'Brien, Karen R.; Ari Rafilson

**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'

**Subject:** [EXT] Re: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Jeff,

I'm available at 4 pm CT tomorrow afternoon to discuss.

Best,

Chris Evans

---

From: Comeau, Jeffrey D. <[jeffreycomeau@paulhastings.com](mailto:jeffreycomeau@paulhastings.com)>

Sent: Monday, August 21, 2017 2:22 PM

Subject: RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

To: Michael Shore <[mshore@shorechan.com](mailto:mshore@shorechan.com)>, O'Brien, Karen R. <[karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com)>, Ari Rafilson <[arafilson@shorechan.com](mailto:arafilson@shorechan.com)>

Cc: Alfonso G Chan <[achan@shorechan.com](mailto:achan@shorechan.com)>, Christopher Evans <[cevens@shorechan.com](mailto:cevens@shorechan.com)>, Paul Beeler <[pbeeler@shorechan.com](mailto:pbeeler@shorechan.com)>, Team Samsung CyWee <[teamsamsungcywee@paulhastings.com](mailto:teamsamsungcywee@paulhastings.com)>, Rhonda Polvado <[rpolvado@shorechan.com](mailto:rpolvado@shorechan.com)>, Andrew Huffstetler <[ahuffstetler@shorechan.com](mailto:ahuffstetler@shorechan.com)>, 'melissa@gillamsmithlaw.com' <[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)>

Hello Michael,

Your response does not address our concerns. Please let us know when CyWee is available to meet and confer about the issues in my letter.

Regards,  
Jeff

---

**From:** Michael Shore [ Michael Shore [<mailto:mshore@ShoreChan.com>]

**Sent:** Friday, August 18, 2017 5:32 PM

**To:** O'Brien, Karen R.; Ari Rafilson

**Cc:** Alfonso G Chan; Christopher Evans; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'

**Subject:** [EXT] RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

If every Android device infringes the same claims the same way, as here, there is no need to repeat the same chart over and over. This letter is a waste of time. Samsung admitted every product infringed in pre-suit meetings. This case is only about damages unless Samsung offers false, bad faith defenses.

We will supplement according to the rules, not your demands.

Sent from my Windows Phone

---

**From:** [O'Brien, Karen R.](#)

**Sent:** 8/18/2017 19:24

**To:** [Ari Rafilson](#)

**Cc:** [Michael Shore](#); [Alfonso G Chan](#); [Christopher Evans](#); [Paul Beeler](#); [Team Samsung CyWee](#); [Rhonda Polvado](#); [Andrew Huffstetler](#); 'melissa@gillamsmithlaw.com'

**Subject:** CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Counsel,

Attached please find correspondence from Jeffrey Comeau regarding the above matter.

Best regards,  
Karen



**Karen O'Brien | Client Service Specialist**

Paul Hastings LLP | 4747 Executive Drive, Twelfth Floor, San Diego, CA 92121 |  
Direct: +1.858.458.2021 | Main: +1.858.458.3000 | Fax: +1.858.458.3005  
| [karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com) | [www.paulhastings.com](http://www.paulhastings.com)

\*\*\*\*\*  
This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at [www.paulhastings.com](http://www.paulhastings.com)

\*\*\*\*\*  
This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at [www.paulhastings.com](http://www.paulhastings.com)

\*\*\*\*\*  
This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at

\*\*\*\*\*  
This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at [www.paulhastings.com](http://www.paulhastings.com)